



CITY OF
PORTLAND, OREGON

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November 15, 2016

To: City Council
From: Commissioner Fritz
CC: Joe Zehnder, Chief Planner; Eric Engstrom, Principal Planner; Susan Anderson, Director

RE: Agenda #1292 – Comprehensive Plan Amendments

Since publication of the “2035 Comprehensive Plan Early Implementation Council Amendments” memo dated November 4, 2016, I have identified refinements to two amendments in that document. I request that these refinements be considered at the upcoming City Council public hearing on November 17, 2016 and the subsequent Council Special Session on Tuesday, November 22, 2016.

1. Refinement to Amendment #36 -- Title 3 Amendments

This refinement, providing consistency with Goal 1 requirements and reflecting concerns raised by the testimony of the Multnomah Neighborhood Association, adds geographic diversity to the considerations of membership in the Community Involvement Committee:

- Remove the text “Members shall be appointed to provide representation from a reasonably broad spectrum of lived experience, striving to include representation from under-served and under-represented communities.”
- Replace the removed text with “The appointed membership shall be broadly representative of geographic areas and interests and from a reasonably broad spectrum of lived experience, particularly in under-served and under-represented communities.”

Please see the attached Word document which reflects my full amendments to Code section 3.132, with the above refinement highlighted.

2. Refinement to Amendment #54 – Street Vacation Code

I am proposing the following language to link the proposed Street Vacation Code more clearly with adopted Comprehensive Plan policies on Public rights-of-way (policies 8.39-8.52, pp.GP8-16 and GP8-17 of the adopted June 2016 Comprehensive Plan). My staff and I are working in collaboration with PBOT, the City Attorney and Commissioner Novick’s office to make potential additional refinements to this language as appropriate.

My proposed changes are highlighted in grey below (underlined text reflects the previously proposed changes to existing code):

17.84.020 Fees

- A.** (no change)

B. (no change)

C. The Council, upon hearing the petition, may grant the same in whole or in part or deny it in whole or in part, and may make reservations or conditions as appear to be in the public interest. The reservations or conditions may pertain to:

1. The maintenance and use of underground public utilities or service facilities in the portion vacated;
2. Limitations on use of the area above and adjacent to underground utilities or service facilities;
3. Moving at petitioner's expense of utility or service facilities either below, on or above the surface;
4. Construction, extension or relocation of sidewalks and curbs;
- 5.5. Grading or pavement extensions;
6. Dedication for street use or other area in lieu of the area to be vacated;
7. Replat;
8. The approval criteria and considerations in 17.84.025; and
9. Any other matter of like or different nature relating to the vacated area and remaining or relocated street area adjacent to petitioner's property, or area dedicated in lieu of the vacation.

17.84.025 Approval Criteria and Conditions for Vacating Streets

A. In considering whether the vacation will prejudice the public interest, the Council will consider the following factors as relevant. The approval criteria are as follows:

1. The area proposed to be vacated is not presently needed presently and is not identified in any adopted plan needed in the future, for public services, transportation functions, utility functions, stormwater functions, view corridors and/or viewpoints, tree planting/retention, pedestrian amenities, or .Consider temporary community or commercial uses.
2. The vacation does not prevent the extension of, or the retention of public services, transportation functions, utility functions, stormwater functions, view corridors and/or view points. Consider temporary community uses.
3. Public services, transportation functions, replacement of or mitigation for City Trees as defined in PCC 11.080.020 or utilities can be extended in an orderly and efficient manner in an alternate location;
4. The vacation does not impede the future best use, development of, or access to abutting property consistent with the applicable zoning or impede access to abutting property;
5. The area of the vacation is not presently, or will not in the future be, needed as part of an interconnected system of public streets that is generally consistent with the street connection and bicycle/pedestrian spacing requirements in section 17.88.040 Through Streets.